

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

DON WILLIAMS d/b/a URTHCOM, LLC,  
Plaintiff,

v.

SOLID CONTACT BASEBALL, INC.,  
Defendants.

Case No. 08 C 2839

SOLID CONTACT BASEBALL, INC.,

Counter-Plaintiff,

Chief Judge Holderman

v.

DON WILLIAMS,

Counter-Defendant.

Magistrate Judge Ashman

SOLID CONTACT BASEBALL, INC.,

Third Party Plaintiff,

v.

URTHCOM, LLC; PETER CEKO; AND  
CEKOM, CORP.,

Third Party Defendants.

**PLAINTIFF DON WILLIAMS'  
MOTION TO DISMISS COUNTS II – IV OF DEFENDANT'S COUNTERCLAIM**

Plaintiff, DON WILLIAMS ("WILLIAMS"), pursuant to Fed.R.Civ.P. 9(b) and 12(b)(6), moves this Honorable Court to Dismiss Counts II – IV of Defendant's Counterclaim.<sup>1</sup> In support

<sup>1</sup> Plaintiff Williams advised the Court on July 15, 2008 that he would like to defer answering Count I of Defendant's Counterclaim until the Court decides the instant motion. The Court agreed with this approach. Thus, Williams will not file his Answer to Count I until this Motion is decided.

of the Motion, WILLIAMS files contemporaneously herewith a Memorandum of Law which it incorporates herein by reference as if set forth in full.

WHEREFORE, Plaintiff, DON WILLIAMS respectfully requests that this Court Dismiss Counts II – IV of Defendant’s Counterclaim pursuant to Fed.R.Civ.P. 9(b) and 12(b)(6) and for such other and further relief that the Court deems appropriate and just.

Dated: August 18, 2008

Respectfully Submitted,

**DON WILLIAMS**

By: /s/ Charles F. Morrissey  
One of his attorneys

Charles F. Morrissey  
KARBAL, COHEN, ECONOMOU, SILK & DUNNE, LLC  
200 South Michigan Avenue  
20<sup>th</sup> Floor  
Chicago, Illinois 60604  
(312) 431-3700